REMARKS

Applicants thank the Examiner for participating in a telephone call on October 25, 2007. The undersigned called the Examiner because some information appeared to be missing on page 3 of the present office action. Particularly, for the part of claim 1 that begins "communicating with ...", the office action did not cite to any portion of the reference (Bezos) as a basis for the rejection of this claim. Over the phone, the Examiner stated that Figures 10, 9 and the Abstract of Bezos disclose this portion of the claimed subject matter.

In response to the office action dated September 12, 2007, Applicants are amending the independent claims 1, 14, 27, 40, 52 and 64. Claims 76-111 have been withdrawn. As such, claims 1-20, 22-33, 35-46, 48-58, 60-70 and 72-75 as amended remain pending.

The independent claims 1, 14, 27, 40, 52 and 64 are being amended regarding the target group to be created, and regarding the information that is searched for individuals. First, the claims now explicitly state that a target group is to be created. For example, claim 1 now states that the information found in the search is used to identify individuals that are "to be associated with" the target group. The amendment is supported throughout the present disclosure, for example by the description on pages 14-17.

Second, the claims as amended state that "implicit" information is being searched and that this information "does not directly state interest, expertise or responsibility of an individual regarding a subject". The amendment is supported throughout the present disclosure, for example by the description on pages 14-17, where examples are described and it is stated that "Implicit member information may be defined as information that infers, but does not directly state, interest, expertise or responsibility of an individual regarding a certain subject." Spec. paragraphs 0048-0055.

No new matter is added.

Rejection under section 102

Claims 1-20, 22-33, 35-46, 48-58, 60-70 and 72-75 were rejected under § 102(e) as allegedly being anticipated by U.S. 6,963,850 (Bezos). Particularly, the Examiner cited to

5:3-21 of Bezos as disclosing the "identifying individuals ... by searching ..." recited in the present claims.

This rejection is moot in view of the above amendments. Without conceding that the rejection has merit, Applicants will note some differences between the present subject matter and Bezos.

The present independent claims all relate to a target group that is to be created. For example, claim 1 recites that attributes are defined in a user input and that "implicit information" is searched to determine if there is a match with the attributes. The claim states that the implicit information:

> is "obtained through inference";

> "is **not** directly extracted from prespecified fields, explicitly defined attributes or tagged elements of an information content"; and

> "does **not** directly state interest, expertise or responsibility of an individual regarding a subject".

Claim 1 (emphases added). If there is a match, the information is used in identifying individuals to be associated with the target group. The claims recite communicating with the identified individuals using a communication directed to the dynamic target group, logging at least some communications and analyzing the logged communications. Bezos fails to disclose or suggest the search of implicit information as recited in the claims, and therefore inherently also fails to disclose or suggest a dynamic target group based on such a search.

Bezos is directed toward assisting users in locating and evaluating items in an electronic catalog, such as an online book store, based on actions performed by members of specific user communities. [Bezos title.] Moreover, the Bezos patent is assigned on its face to Amazon.com, and the first named inventor is Jeffrey Bezos, the founder and business executive of the well-known online book vendor. It is therefore not surprising that Bezos is directed, not toward creating target groups, but rather toward assisting users in finding the right books or other goods to purchase, in line with how business is conducted on the Amazon.com site and as explicitly stated in the title of Bezos.

Moreover, while the creation of target groups in the present subject matter involves searching "implicit information", the techniques described in Bezos do not search such information. Bezos teaches the use of computer-based entities called "communities", that can include both explicit membership communities and implicit membership communities. [Bezos 5:3-6.] Beginning with explicit membership communities, Bezos teaches that these are created by allowing users to actively join such associations. [Bezos 5:3-5.] Bezos Figure 1 shows a sign-up page that directly asks a user what communities the user already belongs to. The page provides fields for the user to enter this information, in response to the prompt by the system, by choosing among explicit membership communities including "Aberdeen Rotary Club" and "Cascade Bicycle Club". [Bezos Figure 1.]

It should be clear that the creation of the explicit membership communities taught by Bezos does not involve searching implicit information as recited in the present claims. First, users actively join the community, so the information is not "obtained by inference", as required by the claims. Second, the users pick their individual communities in specific fields of a computer user interface, so it seems very likely that this does involve use of "prespecified fields, explicitly defined attributes or tagged elements of an information content", as expressly excluded by the present claims. Finally, because the Bezos users explicitly identify their respective communities to the Bezos system, this information does appear to "directly state interest, expertise or responsibility of an individual regarding a subject", in direct contradiction to the present claims. As such, the use of explicit membership communities taught by Bezos does not meet the requirements of "identifying individuals … by searching implicit information …" as recited in the present claims.

The implicit membership communities taught by Bezos also do not meet the requirements of the present claims. Bezos describes that the implicit membership communities "are computed or otherwise identified from information known about the user (e.g., stored in the user database)". [Bezos 5:5-8.] The first examples of implicit membership communities are domain-based communities and geographic-region based communities. [Bezos 5:10-13.] Domain-based communities can be based on a specific domain name (e.g., Microsoft.com) or on a user's email address (e.g., Nasa.com). [Bezos 5:10, Abstract.] Bezos also teaches that user email and/or shipping addresses can be used in determining membership in communities based on geographic

region. [Bezos 5:11-13.] The final example of an implicit membership community is based on the users' purchase activities. [Bezos 5:14-16.] Particularly, users that bought a book about fishing can be assigned to a "fishermen" community. {Bezos 5:14-21.]

None of the examples of implicit membership communities taught by Bezos fits the requirement for "searching implicit information ..." in the present claims. The information in a person's email address (or domain), for example, appears to match one or more of "prespecified fields, explicitly defined attributes or tagged elements of an information content", which are excluded from the implicit information in the present claims. The user's shipping address information, as the basis for the geographic-region based communities, appears to also fall within one or more of the fields, attributes or tags just mentioned. Finally, the information indicating that a user has purchased a book about fishing seems to either be excluded due to a field, attribute or tag, per the above reasoning, and/or to "directly state interest ... of an individual regarding a subject". The latter is a characteristic that the implicit information cannot have according to the present claims. Thus, Bezos does not search "implicit information" as recited in the present claims.

Several steps of claim 1, and corresponding portions of the other independent claims, are therefore neither disclosed nor suggested by Bezos. This includes, but is not limited to: the receipt of user input with criteria for creating a target group; the searching of implicit information; the identification, using the information, of individuals to be associated with the target group; and the communication with individuals of the dynamic target group.

As such, Applicants submit that each of the pending claims as amended is neither anticipated nor rendered unpatentable by Bezos or any other prior art of record.

Conclusion

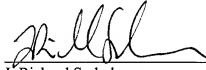The pending claims as amended appear to be in condition for allowance.

It is believed that all of the pending claims have been addressed. However, the absence of a reply to a specific rejection, issue or comment does not signify agreement with or concession of that rejection, issue or comment. In addition, because the arguments made above may not be exhaustive, there may be reasons for patentability of any or all pending claims (or other claims) that have not been expressed. Finally, nothing in this paper should be construed as

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an intent to concede any issue with regard to any claim, except as specifically stated in this paper, and the amendment of any claim does not necessarily signify concession of unpatentability of the claim prior to its amendment.

Please apply any charges or credits to deposit account 06-1050.

Respectfully submitted,

Date: 10/31/07

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